REMARKS

Reconsideration of the application is requested.

Applicants appreciatively acknowledges the Examiner's confirmation of receipt of applicants' claim for priority under 35 U.S.C. § 119(a)-(d).

Claims 1-9 remain in the application. Claims 1-9 are subject to examination.

Under the heading "Specification" in item 2 on page 2 of the above-identified Office Action, the Examiner objected to recitation of "data access" recited on page 9, line 24. More specifically, the Examiner suggested changing this to "data access device". The Examiner's suggested correction has been made.

Under the heading "Claim Rejections - 35 USC § 102" on pages 2-5 of the above-identified Office Action, claims 1, 2, 3 and 9 have been rejected as being fully anticipated by U.S. Patent No. 6,614,782 to Wehrend (hereinafter Wehrend) under 35 U.S.C. § 102.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form

and, therefore, the claims have not been amended to overcome the references.

Initially, it is believed that a public network cannot be identified with or equated to a home network as recited in claims 1 and 9. A home network is - as is commonly known and also defined in the instant specification - is a non-public network that uses wiring that is actually provided for other purposes (for example the domestic mains supply) as a transmission medium. Contrary thereto, the ISDN network disclosed in Wehrend (KN in Fig. 1) is a public network that does not use wiring that is actually provided for other purposes as the transmission medium. The wiring used in a public ISDN network for the purpose of data transmission is commonly provided for that purpose.

Furthermore, Wehrend does not contain any information towards a transmission device specifically affecting layer 2 (the data link layer) for the unchanged transmission of data packages between layer 1-access devices without evaluating layer 2-address information. The text passage in Wehrend (col. 7, lines 46-57) cited by the Examiner in this context does not contain any information towards such a specific transmission device. The interpretation "the exchange can occur at various levels of the OSI reference model" of the

text passages does not exactly represent its disclosure content. Actually, the text passage does not contain that the transmission takes place on only a single layer that is to be chosen, but only that different layers take place in the transmission. It is not disclosed at all on which one of these layers data are transmitted, possibly without change and without evaluation of the corresponding address information. Specifically, there is no information that the data packages are transmitted specifically on layer 2 without changes as well as without evaluation of the layer 2-address information. The last paragraph of claims 1 and 9 of the instant application recites that the data transmission device provides an unchanged transmission of extracted data packets .... without evaluating addressing information concerning the data link layer contained in the data packets.

Furthermore, the transmission device according to claims 1 or 9 of the instant application, respectively is, according to the Examiner's argumentation, identified with a "transmission path DP" which can supposedly be seen in Fig. 1 of Wehrend. Reference numeral DP in Wehrend, however, does not characterize a transmission path, but exclusively the data packages DP that are to be transmitted (see Wehrend, for example, col. 7, line 19). The indicated assignment thus does not seem consistent.

Should the Examiner identify the "transmission path" with the connection line which can be seen in Fig. 1 between the time division-multiplex-oriented output HWY of the network coupling unit WAML and the time division-multiplex-oriented terminal KA1 of the coupling field module KP, this connection line can also not be interpreted as being a transmission device according to claims 1 and 9 which has an effect on the layer 2. The connection line in Wehrend is clearly specified as a PCM transmission path (PCM: pulse code modulation) and is thus assigned to the layer 1 (see col. 6, lines 34-39 and 59-64).

The specific feature of a transmission device for the unchanged transmission of data packages on the layer 2 between layer 1 access devices without evaluating the layer 2 address information is one of the central features of the instant invention. Doing without the extensive data and address conversion makes it possible to greatly decrease the complexity and expense for the network coupling device as compared to the solutions according to the state of the art. Simply put, Wehrend is respectfully not believed to teach this feature.

Under the heading "Claim Rejections - 35 USC § 103" on pages 5-8 of the above-identified Office Action, claims 4-8 have been rejected as being obvious over Wehrend in view of U.S. Patent No. 6,636,519 to Walsh et al. (hereinafter Walsh) or U.S. Patent No. 6,366,583 to Rowett et al. (hereinafter Rowett) under 35 U.S.C. § 103.

Neither Wehrend nor Walsh nor Rowett contain any information that would have given a person of ordinary skill in the art any reason to transmit data packages directly on layer 2 without change to and without evaluation of layer 2-address information between different networks. With the network transition disclosed in Wehrend and Walsh, such a transmission could furthermore not be combined because a transition between a package-oriented network and a line-oriented ISDN network always also requires a conversion to layer 3 (network layer) and thus also a conversion to layer 2.

Wehrend even explicitly discloses that the network coupling unit contains a conversion unit for converting the data packages to be transmitted as well as for evaluating address information (see, for example, Wehrend, col. 1, lines 44-50, col. 2, lines 48-64, col. 5, lines 8-28, etc.)

With reference to the integration of an entire router on a chip described in Rowett, we would like to state that a router data package transmits on layer 3 of the OSI reference model between different networks, and not, as is the case in the object of the instant application, on layer 2 (link layer). In particular, a router does not transmit the (layer 2) data packages extracted by a physical data access device unchanged, especially not with unchanged layer 2 address (MAC address) from one network into another network. Instead, the router must carry out an extensive evaluation of the layer 3 addresses (IP addresses) as well as a conversion of the layer 2 addresses as well as the layer 2 data packages. Due to the switching effort of a router that is much greater in comparison with the network coupling device according to the invention, the motivation for combining Rowett with Wehrend indicated by the Examiner ("to reduce manufacturing and assembly costs...") is not believed, respectfully, to be convincing. The integration of a complete router on a chip would be much more expensive than a network coupling device according to claim 1 of the instant application which acts upon layer 2, the functional component of which are not integrated on a chip. Therefore, a person of ordinary skill in the art cannot expect that the costs of the network coupling device according to claim 1 to be reduced by integrating a router.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 9. Claims 1 and 9 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

In view of the foregoing, reconsideration and allowance of claims 1-9 are solicited.

If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

For Applicants
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September 20, 2004
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